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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,316	06/19/2001	Sunil H. Contractor	BELL-0107/01006	4849
38952	7590	11/18/2004	EXAMINER	
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE - 46TH FLOOR PHILADELPHIA, PA 19103			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2642	
DATE MAILED: 11/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/884,316	<b>Applicant(s)</b> CONTRACTOR, SUNIL H.	
	<b>Examiner</b> Quynh H Nguyen	<b>Art Unit</b> 2642	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 103***

2. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. (U.S. Patent 5,936,864) in view of Chestnut (U.S. Patent 6,041,114).

Regarding claim 1, O'Neil et al. teach a system for processing a telephone call comprising: a wire line telephone to receive a called number (Fig. 1, 20e), to dial the called number (telephone 20e or 20a), if the called number (wire line number) is busy or no answer (col. 17, lines 8-9 and col. 29, lines 29-34), forward the call to the forwarding telephone number or specified line (col. 29, lines 36-37). O'Neil et al. do not explicitly mention determining a forwarding telephone number associated with the called number.

Chestnut teaches a method of controlling call forwarding by providing the caller a list of telephone numbers to locate the called party if he/she is not available at a first location and forward the call to that location (col. 3, lines 8-18); or the telecommute server determining if there is a forwarding number associated with the called number and forwards the call to that number (col. 4, lines 1-7).

It would have been obvious that handling all incoming calls to avoid missing important calls is desirable. For example, a user would subscribe for call forwarding service. In call forwarding service, the subscriber may control call forwarding by

Art Unit: 2642

providing the caller with the option to select his or her desired destination, as taught by Chestnut (col. 3, lines 8-18), or having a determined or fixed call forwarding number that associated with the busy no answer called number. The latter one is the preferred one in this instant application.

Regarding claim 2, O'Neil et al. teach a service switching point - SSP (Fig. 1, end office 16a, 16b) connected to a plurality of subscriber locations, each of said subscriber locations including a respective wire line telephone (Fig. 1, 20a-f); a signal transfer point communicate with the service switching point (col. 12, lines 5-10); a service control point (SCP 24) to communicate with the signal transfer point - STP, the service control point containing a database 28 (col. 12, lines 11-23).

Regarding claim 3, O'Neil et al. teach the SCP include database 28 that identify particular service subscribers and the services to be accorded to these subscribers, for example, call forwarding service (col. 12, lines 17-23) reads on claimed "the service control point is adapted to determine said forwarding telephone number associated with said called number..."

Regarding claim 4, O'Neil et al. teach the wire line telephone comprises a data link connected to the signal transfer point to communicate with a wireless telephone system (col. 14, lines 34-58).

Regarding claim 5, O'Neil et al. teach the wire line telephone comprises a service node 30 connected to the SSP through a second data link, and to a SCP through a third data link (Fig. 1).

Regarding claims 6, 7, and 23, O'Neil et al. teach the service node, the SCP, and the SSP are communicated with each other. However, O'Neil et al. do not teach prompting for a forwarding telephone number before forwarding. Chestnut teaches the caller selects the call forwarding number from a prompted menu list of call forwarding numbers (col. 5, lines 51-55).

Regarding claim 8, Chestnut teaches a database includes a subscription list (col. 6, lines 64-67).

Regarding claim 9, O'Neil et al. teach the SCP comprises a first telephone number and at least one next telephone number (col. 15, lines 37-53).

Regarding claims 10 and 11, O'Neil et al. teach modifying the telephone number table using one of telephone keypad command and an Internet website (col. 15, lines 53-65).

Regarding claims 12 and 24, O'Neil et al. teach the next telephone number is a wireless number and said SCP to determine an on/off status of the wireless number (col. 16, line 56 through col. 18, line 62).

Regarding claim 13, Chestnut teaches the list of forwarding numbers including the identity of the caller and/or called party, a forwarding telephone number (col. 6, line 65 through col. 7, line 20). Obviously, a list of prefer caller telephone numbers would be home phone, car phone, cell phone, or voice messaging number...

Claim 14 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, O'Neil et al. teach a wireless telephone system (Fig. 1, 14), wireless telephone 34 may receive/dial a telephone number.

Regarding claim 15, O'Neil et al. teach said wireless telephone system comprising: a home location register (Fig. 1, HLR 40) to communicate with a mobile switching center (col. 14, lines 42-47); said mobile switching center to communicate with a plurality of cell sites (Fig. 1, 36, 38); the cell sites communicate with wireless telephone 34; a STP to communicate with the mobile switching centers (MSC) and said home location registers; and a SCP to communicate with said STP (Fig. 1 and col. 14, lines 34-58).

Regarding claims 16 and 17, O'Neil et al. teach the wireless telephone system comprises a service node communicates with the STP and MSC, a data link connected to said STP and communicate with a wire line telephone system (Fig. 1 and col. 14, lines 34-58).

Claim 18 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, O'Neil et al. teach receiving a called party telephone number from a calling party number (col. 15, lines 10-13); determining whether said called party number is included in a data storage device (col. 15, lines 37-57).

Regarding claim 19, Chestnut teaches the list of potential forwarding numbers can be based on the identity of the caller (col. 7, lines 51-56) reads on claimed "determining whether said calling party number matches a preferred calling party number included in said data storage device".

Regarding claims 20 and 25, O'Neil et al. teach when the called party, for example, when Carl and Jo Ann subscribed to wire line extensions service, they provided the system administrator their telephone number and this information is stored

Art Unit: 2642

in a database 36 that may be accessed by SCP 24, so that when the caller make a call the system determine whether the called number included in the database before forwarding (col. 15, lines 37-57).

Regarding claims 21 and 22, Chestnut teaches indicating that the forwarding telephone number is being dialed comprises indication with one of an audible voice notification and a visible indication, for example, when the caller selects the forwarding number from the list of forwarding telephone numbers, the caller presses a key on the telephone keypad or speaking the selection into the receiver (col. 7, lines 9-20).

Regarding claims 26 and 27, Chestnut teaches receiving a calling number (col. 2, lines 55-58 and col. 3, lines 21-23) with the called number, and calling the forwarding telephone number if the calling number is a preferred caller number (col. 3, lines 23-27). For example, forward the call to the forwarding number if the caller is subscribed to call forwarding feature with a call forwarding number.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-27 have been considered but are not persuasive. Applicant arguments are addressed in the above claims rejection.

Furthermore, Applicant argues that O'Neil and Chestnut do not teach a system for forwarding calls in response to a busy or no answer signal at the called party number, and the telephone system itself determining whether a forwarding number will be called. Examiner respectfully disagrees. Call forwarding feature is used when activated and a called number is busy or no answer is old and well known, and the

advantage of having call-forwarding feature is also well known. For example, to avoid missing important calls. O'Neil et al. teach if the called number (wire line number) is busy or no answer (col. 17, lines 8-9 and col. 29, lines 29-34), forward the call to the forwarding telephone number or specified line (col. 29, lines 36-37), and Chestnut teaches the telecommute server determining if there is a forwarding number associated with the called number and forwards the call to that number (col. 4, lines 1-7). The combination of the two references teaches the claims invention.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-



Art Unit: 2642

5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen

November 11, 2004

  
AHMAD F. MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700